



COMMISSION HEARING

TORONTO, ONTARIO – JULY 21, 2010

**IN THE MATTER OF THE RACING COMMISSION ACT S.O. 2000, c.20;
AND IN THE MATTER IN THE APPEAL AND REQUEST FOR HEARING OF
STANDARDBRED LICENSEE JAMES MACDONALD**

On June 05, 2010, the Judges issued Standardbred Official Ruling SB42120 wherein James MacDonald (“MacDonald”) was given the penalty of a three-day driving suspension for violation of Rule 22.05.01 (a) of the Rules of Standardbred Racing, wherein he did bear in past the $\frac{3}{4}$ pole causing interference in Race 3 on May 22, 2010, at Hanover Raceway

On June 09, 2010, MacDonald filed a Notice of Appeal, pursuant to Rule 24.01(b) of the Rules of Standardbred Racing.

On July 21, 2010, a Panel of the Ontario Racing Commission (“ORC”), comprised of Chair Rod Seiling, convened for the purpose of hearing this matter.

Neil McCoag appeared on behalf of the Administration of the ORC. MacDonald attended the Hearing and was represented by Jody Jamieson.

Macdonald pleaded guilty to the charge.

The Panel set a three-day driving suspension for July 27, 28 and 29, 2010, inclusive.

A transcript of the Panel’s Reasons for Decision is attached to this Ruling.

DATED at Toronto this 26th day of July 2010.

BY ORDER OF THE COMMISSION


John L. Blakney
Executive Director

ONTARIO RACING COMMISSION

RE: STANDARD BRED HEARING

IN THE MATTER OF AN APPEAL AND REQUEST FOR HEARING OF
JAMES MACDONALD

Held Before:

Rod Seiling, Chairman

This is an excerpt of a Hearing of the Ontario Racing Commission re: **JAMES MACDONALD**, taken before Toronto Court Reporters, Suite 1410, 65 Queen Street West, Toronto, Ontario, at 10 Carlson Court, Suite 400, Toronto, Ontario, on the 21st day of July, 2010.

Appearances:

Neil McCoag, representative for the Ontario Racing
Commission Administration

1 Hearing continued ...

2 MR. CHAIRMAN: I'm going to interrupt for a minute. Just stop here.
3 Based on your testimony, Judge Rier; I'm in a lenient mood today, if Mr. MacDonald
4 is still prepared to drop his appeal as he suggested to you and given that he is in that
5 transition period - he appealed it June 7th and the new procedure came out June
6 14th - he is caught in that time warp.

7 MR. RIER: Right.

8 MR. CHAIRMAN: I'm prepared to allow him to drop the appeal without
9 any penalty other than serve the three days. He can work out with the Judges his
10 three days.

11 MR. JAMIESON: Mr. Chair, we were very very nervous to come here
12 and offer to do that ourselves. That's why we were going to argue the appeal but we
13 would definitely take your offer up.

14 MR. MCCOAG: If I may, could we set the three days right now?

15 MR. CHAIRMAN: After this I will let Mr. MacDonald sit down with
16 Judge Rier and if you want to participate, Mr. McCoag, and work out to however the
17 Judges want to set the dates.

18 MR. MCCOAG: Thank you, sir.

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CERTIFIED CORRECT: _____
RAYMOND P. MACDONALD, B.A., CVR
Commissioner of Oaths